

REMARKS

Claims 4-5, 11 and 15 are now pending in the application. Claims 1-3, 6-10, 12-14 and 16-18 have been cancelled. Claims 4, 11 and 15 are currently amended. Support for the amendments may be found throughout the specification as originally filed. No new matter has been added. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claim 18 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 4, 11 and 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 18 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. These rejections are respectfully traversed.

Applicants have amended Claims 4, 11 and 15 according to the Examiner's recommendation in which "mode selector" now reads as "mode selector switch." Applicants have also cancelled Claim 18, therefore rendering this rejection moot. Applicants respectfully submit that the application is now in a condition for allowance.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-3, 5, 10, 14 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Eyzaquirre et al. (U.S. Pat. No. 6,353,170) in view of Sonic Foundry's program ACID. This rejection is respectfully traversed.

Applicants have cancelled Claims 1-3, 10, 14 and 18. Claim 5 is dependent on allowable Claim 4. Therefore, this rejection is rendered moot. Applicants respectfully submit that the application is now in a condition for allowance.

ALLOWABLE SUBJECT MATTER

The Examiner states that Claims 4, 11 and 15 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112. Accordingly, Applicant(s) have amended claims 4, 11 and 15 pursuant to the Examiner's suggestion. Therefore, claims 4, 11 and 15 should now be in condition for allowance.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Application No. 09/833,863
Amendment dated October 31, 2006
Reply to Office Action of September 20, 2006

Docket No.: 2552-000001/US

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 2552-000001/US from which the undersigned is authorized to draw.

Dated: October 31, 2006

Respectfully submitted,

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